

REMARKS/ARGUMENTS

Status of the Claims

Claims 1-41 remain in the application;

Claim 1 has been amended;

Claims 18-41 have been allowed.

Claim Objections

Claims 6-8 and 12-17 were objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

Claims Allowed

The Examiner has also acknowledged that claims 18-41 are allowable.

Claim rejections under 35 U.S.C. § 102(b)

Claims 1-5 and 9-11 stand rejected under 35 U.S.C. §102(b) as being anticipated by published U.S. Patent No. 3,710,886 (Wagner).

While it is believed that the above rejection has been rendered moot by Applicants' amendment, Applicant respectfully disagrees.

Briefly, Wagner shows and discloses a mechanism for converting a wheeled vehicle into a tracked vehicle. The mechanism comprises: adaptors 58 that are attached to brake drums 11; first sprocket elements 44 attached to the adaptors; shafts 48 extending from

each of the first sprockets; and second sprocket elements 45 attached to respective shafts. The adaptors and the sprocket elements are connected to a frame 24 by way of eccentric bearing structures 51 whose inner races 56 receive respective shafts and whose outer races 57 are seated within openings in diverging end portions 26, 27 the frame 24. The frame 24 includes an elongated intermediate portion 25 to which a plurality of idler wheels 31 are attached.

Wagner does not show or disclose the feature of first and second hub assemblies that are configured and arranged to be fastened to first and second axles of vehicle whose wheels have been removed, as recited in independent claim 1. Instead, Wagner shows and discloses adaptors 58 that are attached to brake drums 11.

Wagner does not show or disclose the feature of a support frame having a plurality of support rollers, wherein at least two of the support rollers are spaced apart from each other by a distance that is substantially equal to or greater than the distance between the first and second vehicle axles, as recited in independent claim 1.

Instead, Wagner shows and discloses a plurality of idler wheels 31 that are attached to an elongated intermediate portion 25 of a frame 24. Note that the elongated intermediate portion is considerably shorter than the distance between the drive sprockets 28 and 29.

Wagner does not show or disclose hub assemblies that may be adjusted relative to a support frame to accommodate vehicles having different wheelbase lengths, as recited in dependent claim 4. And, Wagner does not show or disclose hub assemblies that may be adjustably positioned from 0.0 cm to about 20.0 cm along the length of a support frame, as recited in independent claim 5.

Instead, Wagner's hub assemblies (identified by the Examiner as 28 and 29) are fixed and non-adjustable relative to the support frame 24.

Wagner does not show or disclose the feature of a first hub assembly comprising an adaptor disc and a sprocket attachable thereto, as recited in dependent claim 10.

Instead, Wagner shows and discloses a cylindrically shaped adaptor 58 that has an outwardly turned flange 61 to which a sprocket element 44 is attached.

And, Wagner does not show or disclose the feature a sprocket having an attachment surface and a track receiving surface that define planes, which are offset with respect to each other, as recited in dependent claim 11.

Instead, the attachment surface and the track receiving surface of the sprocket element 44 are in the same plane.

It is well settled that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."¹

It is submitted that the reference of Wagner does not anticipate Applicant's claimed invention under 35 U.S.C. § 102(b) because Wagner does not show or disclose all of the features recited in independent claim 1. It is further submitted that Wagner does not anticipate dependent claims 2-5 and 9-11, which included additional limitations. Applicant respectfully request that the rejection of the claims 1-5 and 9-11 be withdrawn and the application passed to issue.

¹ *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

CONCLUSION

On the basis of the foregoing amendments, remarks, and arguments of record, applicant respectfully submits that claims 1-41 are in condition for allowance and Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Alternatively, if the Examiner is of the opinion that prosecution of the application may be expedited by a telephonic interview, the Examiner is invited to contact applicant's representative at the telephone number listed below.

Respectfully submitted,
For the Applicant(s)
By his/her/their Attorneys,

Customer Number

22854

MOORE & HANSEN, PLLP
225 South Sixth Street
Suite 4850
Minneapolis, Minnesota 55402
Telephone: (612) 332-8200
Facsimile: (612) 332-1780

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By:

/James R. Hakomaki/
James R. Hakomaki
Reg. No. 35,037